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0756-864

297

SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/051,313 04/23/93 TAKEMURA

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EXAMINER

DUONG, T

ART UNIT

PAPER NUMBER

14

ESM1/0612

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2515

DATE MAILED:

06/12/96

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

Response Due: 9/12/96

☒ This application has been examined ☒ Responsive to communication filed on 4/17/96 ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

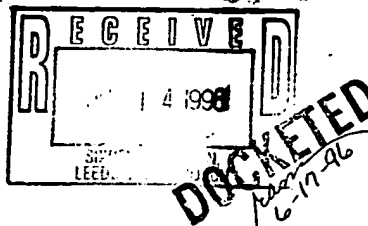
Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- ☒ Notice of References Cited by Examiner, PTO-892.
- ☐ Notice of Draftsman's Patent Drawing Review, PTO-948.
- ☐ Notice of Art Cited by Applicant, PTO-1449.
- ☐ Notice of Informal Patent Application, PTO-152.
- ☐ Information on How to Effect Drawing Changes, PTO-1474.
- ☐

Part II SUMMARY OF ACTION

1. ☒ Claims 1-3, 5-8 and 21-24 are pending in the application.
Of the above, claims 6-8 are withdrawn from consideration.

- ☐ Claims have been cancelled.
- ☐ Claims are allowed.
- ☒ Claims 1-3, 5 and 21-24 are rejected.
- ☐ Claims are objected to.
- ☐ Claims are subject to restriction or election requirement.
- ☐ This application has been filed with Informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
- ☐ Formal drawings are required in response to this Office action.
- ☐ The corrected or substitute drawings have been received on Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).
- ☐ The proposed additional or substitute sheet(s) of drawings, filed on has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
- ☐ The proposed drawing correction, filed has been ☐ approved; ☐ disapproved (see explanation).
- ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. ; filed on .
- ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
- ☐ Other



EXAMINER'S ACTION

The indicated allowability of claims 1-3 and 21 is withdrawn in view of the newly discovered prior art to Yamazaki (U.S. 5,463,483. The delay in citation of this art is regretted. Rejections based on the newly discovered prior art follow.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1-3, 21,23 and 24 are rejected under 35 U.S.C. § 102(e) as being anticipated by Yamazaki '483.

Note in Fig. 2 (c) the capacitance (C_1 or C_2) between the pixel electrode (C_{LC}) and the gate line (X_n or X_n) and the capacitance (C_1 or C_2) between the pixel electrode and the wiring (X_n or X_n) being the same as each other intentionally.

Claims 5 and 22 are rejected under 35 U.S.C. § 102(e) as being anticipated by Yamazake '483.

Note the attached sketch of Fig. 3(A) which identically discloses the claimed electro-optical device.

Claim 23 is rejected under 35 U.S.C. § 102(b) as being anticipated by Morozumi '395.

Serial Number: 051,313
Art Unit: 2515

-3-

Note in Fig. 6 the pixel electrode (41) superposed on the gate line (36) with a first insulator therebetween and superposed on the wiring (37) with a second insulator therebetween wherein a capacitance comprising the gate line (36), the pixel electrode (41) and the first insulator is provided "intentionally".

With respect to applicant's remarks regarding the term "intentionally", it is unclear whether there is a structural difference between the capacitance being "intentionally" provided and that of ^{unintentionally} ~~un~~intentionally provided. In addition, how one can determine that a certain capacitance is "intentionally" provided or "unintentionally" provided.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication should be directed to Tai Duong at telephone number (703) 308-4873.

May 21, 1996

Doung/cm

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GROUP 2500